

REVISED MEETING LOCATION HAS CHANGED

**Eagle Spring Lake Operational Order
Notice of Complete Application
Notice of Public Informational Meeting
Notice of Public Comment Period for Environmental Assessment**

The Eagle Spring Lake Management District (ESLMD), c/o Tom Day PO Box 196 Eagle WI 53199 has requested that the Department of Natural Resources change the water level order for Eagle Spring Lake to reflect the water level currently maintained. The request was made pursuant to Wis. Stat. § 31.02(1). The Eagle Spring Lake dam is owned and operated by the ESLMD. The change in the water level order would reflect a 0.56 feet increase in the operating range established by the 1954 Wisconsin Public Service Commission (PSC). This would result in the lake surface elevations of Eagle Spring Lake being maintained between 820.52 feet and 820.82 feet, referring to National Geodetic Vertical Datum of 1929 (NGVD-29). These elevations correspond to a staff gage reading of 9.40 and 9.70 on the gage located at the dam. The water levels of Eagle Spring Lake are currently maintained at this level.

Eagle Spring Lake is located in the Town of Eagle, southeast of the Village of Eagle and west of the Village of Mukwonago.

The Department has determined that the **application is complete** and is currently evaluating the applicant's proposal. The ESLMD has requested a **public informational meeting** on the project. The meeting will be held on Thursday September 10, 2009 from 5:00 pm until 7:00 pm at the **Old World Wisconsin – Clausing Barn at W37890 HWY 67** Eagle, WI 53119. The meeting will be a public informational meeting where individuals can learn more about the proposed activity and submit written or oral comments and questions about the project in light of the standards below. The Department is currently evaluating the proposal and must consider factual information about the following legal standards in deciding whether to grant, modify, or deny a permit for the project:

- Whether navigation is materially obstructed, including commercial, recreational, active and passive forms of navigation
- Whether there is detriment to the public interest, including fish and wildlife or their habitat, natural scenic beauty or water quality
- Whether the flood flow capacity of the Lake and/or Canal are materially reduced

The Department considers all of the following information to make a decision to approve, modify or deny the application:

1. Applicable standards in statutes, rules and common law.
2. Information provided by the applicant.
3. Information gathered during site investigations.
4. Written or oral comments provided during a public comment period or public hearing.
5. Statements or information provided by local, state and national governmental agencies.
6. Data or information found in natural resource inventories and plans, maps collected by the Department or others using commonly accepted methods.
7. Published scientific research.
8. Section 1.11 Stats, Wisconsin Environmental Policy Act and Ch. NR. 150.
9. Any other pertinent information.

The Department has prepared an **Environmental Analysis (EA)** for this project. This EA is available for public review at the Eagle Town Hall or by appointment at the Department's Waukesha Service Center. Appointments to review the EA can be made by calling (262) 574-2188. Comments to the EA must be received by Jennifer Jerich 141 NW Barstow St Room 180 Waukesha WI 53188 no later than 4:30 pm 30 days following the publication of this notice. The Department has determined that the expected impacts of this proposal is not of sufficient scope and detail for it to be a major action, which would significantly affect the quality of the human environment. Therefore, an environmental impact statement is not required prior to final action by the Department.

If you would like to know more about this project or would like to see the application and plans, contact Jennifer Jerich 141 NW Barstow St Room 180 Waukesha WI 53188, phone number 262-574-2188 or attend the public informational hearing being held on September 10th 2009 from 5:00pm to 7:00pm at Old World Wisconsin at S103 W37890 Hwy 67, Eagle, WI 53119.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Any member of the public may submit written comments to the address above by U.S. mail. Comments should include the docket number or applicant name. Public comments must be postmarked 30 days from the date of publication of this notice.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-SE-2007-00496

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary

Jennifer Jerich
Water Management Specialist

August 14, 2009
Date